

EXHIBIT

7

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TENNESSEE
GREENEVILLE DIVISION

ULTIMA SERVICES CORPORATION,)	
)	
Plaintiff,)	
)	
v.)	No. 2:20-cv-00041-DCLC-CRW
)	
U.S. DEPARTMENT OF AGRICULTURE,)	
et al.,)	
)	
Defendants.)	

DECLARATION OF JOHN W. KLEIN

I, John Klein, declare as follows under penalty of perjury:

1. I am the Acting Deputy General Counsel and Associate General Counsel for Procurement Law at the United States Small Business Administration.
2. Attached is a true and correct copy of an excerpt of All-Pro Placement Service, Inc.'s ("All-Pro") application to be admitted to the 8(a) program.
3. As shown in this document, All-Pro did not qualify as socially disadvantaged based on the rebuttable presumption of disadvantage for designated groups established in 13 C.F.R. § 124.103(b).
4. Rather, the individual owner of All-Pro upon whom admittance to the 8(a) program was based established her individual disadvantaged status based upon gender.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on July 18, 2022



John W. Klein

8(a) Business Development (8(a) & SDB) Application

For ALL PRO PLACEMENT SERVICE INC
Dec 04, 2008

Please provide the following information on all individual applicants who claim social and economic disadvantage (add additional pages if necessary):

Name of Individual	Designated Group Membership or Basis of Disadvantage *	U.S. Citizenship Y/N	Place of Birth	Sex M/F	Veteran Y/N
<u>Nancy Kelbaugh</u>	<u>Woman</u>	<u>Y</u>	<u>United States</u>	<u>F</u>	<u>N</u>
<u>Jennifer Quinn</u>	<u>Woman</u>	<u>Y</u>	<u>United States</u>	<u>F</u>	<u>N</u>
<u></u>	<u></u>	<u></u>	<u></u>	<u></u>	<u></u>
<u></u>	<u></u>	<u></u>	<u></u>	<u></u>	<u></u>

Each individual claiming disadvantage must submit a narrative statement describing his/her economic disadvantage. Applicants who are not members of a designated group must also submit a narrative statement detailing how he/she personally experienced social disadvantage in American society and any supporting evidence.

Note: Applicants must attach a detailed explanation, including supporting documentation, noting the section and question number and any supporting documents for each "yes" response to the following questions in this section.

With respect to each individual claiming disadvantage:

21. Is any individual delinquent in filing his/her personal Federal or local tax returns? ☐ Yes ☒ No
22. Has any individual transferred any personal assets during the last two years to any immediate family member for less than fair market value? ☐ Yes ☒ No

Only with respect to each 8(a) individual claiming disadvantage (not SDB applicant):

- | | | | |
|-----|---|------------------------------|--|
| 23. | Has any individual previously used his/her eligibility to qualify a firm for 8(a) BD Program participation? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 24. | Does any individual own individually, or in aggregate with the applicant firm and/or immediate family members, more than a 20% ownership interest in a current 8(a) BD Program participant? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 25. | Does any individual's immediate family member own individually, or in aggregate with other immediate family members and/or the applicant firm, more than a 20% ownership interest in a current 8(a) BD Program participant? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 26. | Does the applicant firm have more than a 20% ownership interest in a current 8(a) BD Program participant? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 27. | Has any individual ever been arrested? (If Yes , submit a Fingerprint Card.) | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |

Only with respect to 8(a) applicants:

28. Does any non-disadvantaged owner of the applicant firm own individually, or in the aggregate with immediate family members, more than 10% of a current 8(a) BD Program participant? ☐ Yes ☒ No
29. Does any non-disadvantaged firm in the same or similar line of business own more than a 10% interest in the applicant firm? ☐ Yes ☒ No

* List of Designated Groups: (1)Black Americans, (2)Hispanic Americans, (3)Native Americans, (4)Asian Pacific Americans, and (5)Subcontinent Asian Americans